UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1991/SR.24
19 February 1991

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Forty-seventh session

SUMMARY RECORD OF THE 24th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 13 February 1991, at 3 p.m.

Chairman: Mr. AMOO-GOTTFRIED (Ghana)
later: Mr. BERNALES BALLESTEROS (Peru)

CONTENTS

Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

(b) National institutions for the promotion and protection of human rights;

(c) Co-ordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3.25 p.m.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) CO-ORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

(agenda item 11) (continued) (E/CN.4/1991/21 and Add.1, 22-23 and 72; E/CN.4/1991/NGO/1 and 8; A/45/564 and Add.1, 590 and 807; A/C.5/45/66; A/RES/45/155 and 180; E/1990/50)

1. Mr. DENHAM (Observer for Ireland) said that his Government recognized the interdependence between civil and political rights and economic, social and cultural rights. It fully supported efforts towards the promotion of those basic rights as integral to the legitimate aspirations of every individual. As the Foreign Minister of Luxembourg, speaking as President of the Council of the European Communities in the Commission on 31 January 1991 had said, "Neither lack of social and economic development nor any persuasion or ideology may serve as a justification for the denial of civil and political rights".

2. The role of the United Nations and, in particular, of the Commission, the Centre for Human Rights and the Third Committee of the General Assembly, was paramount in ensuring the realization of human rights and their universal application. His delegation was particularly pleased with the outcome of the current year's efforts to rationalize the agenda of the Third Committee and hoped that the momentum begun in New York would carry over into the Commission and other international forums. To that end, it appealed to all other delegations to show flexibility in the conduct of the Commission's work.

3. The World Conference on Human Rights, to be held in 1993, would provide an opportunity to ensure the effective implementation in all countries of the human rights and fundamental freedoms already codified in existing international instruments. It could strengthen international resolve to improve upon past performance and to make those institutions and programmes already established more relevant to the task. As the 12 member States of the European Community had made clear in their joint response to the Secretary-General's letter of 30 April 1990 on the subject, the World Conference should be based on the established corpus of universally recognized principles in the field of human rights; it should focus on the status of ratification, implementation and application of existing human rights instruments at the United Nations level, including training and teaching in the field of human rights standards and their world-wide dissemination, the creation and strengthening of regional institutions, and the strengthening of human rights institutions and infrastructure.

4. The Conference should pay particular attention to ways of improving human rights programmes, for example by strengthening supervisory machinery, improving information and advisory programmes, and ensuring the provision of the necessary financial and other resources. It could also give further consideration to the question of the creation of the post of a High Commissioner for Human Rights.

5. His delegation had also noted with interest the suggestion put forward by the Minister for Foreign Affairs of Norway in his address to the session concerning a "Human Rights Impact Statement".

6. His delegation hoped that, with careful preparation and the co-operation of all concerned, the World Conference would mark another historic leap forward in universal respect for and attainment of human rights and fundamental freedoms.

7. Mr. NDIAYE (Senegal) said that, at the end of 1990, an event of great importance in terms of human rights had occurred in Senegal when the Government had organized an important seminar on the subject of "The modernization of the State". The purpose of the meeting had been not only to identify areas for consideration but also to develop simple and effective actions to ensure respect for and enjoyment of human rights and fundamental freedoms.

8. To achieve that objective, the seminar had put forward the idea that a democratic and free society should be based on an independent judiciary which was strong and respected, and a simplified administration free from red tape.

9. At the end of the seminar, it had been decided to set up a Mediator of the Republic and the National Assembly had recently adopted an Act establishing that institution. The Mediator would play an essential role in Senegal. While Senegal was a country of law and of democracy, it was first and foremost a country with deep-rooted traditional values and customs. The Mediator, who would endeavour to ensure the equitable application of the law, would also have to bear in mind that conciliation and friendly agreement were frequently a particularly effective means of resolving conflicts in the country.

10. In addition to the Mediator, Senegal had created since 1960, when it had acceded to international sovereignty, a number of institutions, bodies and regulations aimed at promoting and protecting fundamental human rights. It had acceded to various international human rights instruments and its 1963 Constitution provided, in its article 79, that international treaties ratified by Senegal prevailed over relevant domestic legislation and constituted an integral part of Senegalese law. Senegal, which had ratified the Optional Protocol to the International Covenant on Civil and Political Rights, submitted its periodic reports regularly to the Human Rights Committee and, through a constructive dialogue with that body, sought to harmonize its domestic legislation with the provisions of the Covenant.

11. The African human rights Commission had been established in June 1981 and its charter had been ratified by some 40 member States of the Organization of African Unity. That Commission was encountering difficulties in the consideration of complaints from individuals. The procedures set forth in its charter and rules of procedure had proved to be too complicated and steps were being take to simplify them. In that connection, he said that such action had

begun with a seminar held in early December 1990 at Dakar under the auspices of the United Nations Centre for Human Rights and with the co-operation of the Senegalese Association for Legal Studies and Research.

12. In 1972, Senegal had established a Human Rights Committee which was presided over by the President of the Supreme Court and composed of representatives of ministries, non-governmental organizations, trade unions, women's organizations and youth organizations. It had become the privileged adviser of the Government to which it furnished advice and made recommendations. It was fully independent and its chairman submitted an annual report to the President of the Republic.

13. The Constitution provided that the courts were guardians of the rights and freedoms of citizens and that judges were appointed for life and must observe the law. The Supreme Court ensured the constitutionality of legislation. Both ordinary courts and the Supreme Court could hear cases of complaints brought against officials for abuse of power.

14. With regard to Senegalese legislation as a whole, a seminar held by the Ministry of Justice in January 1991 had recommended far-reaching reforms to speed up procedures, provide the courts with sufficient resources, and elaborate a new procedure for judicial protection. All those actions were designed to promote and develop further respect for human rights and fundamental freedoms.

14. Mr. Bernales Ballesteros (Peru) took the Chair.

15. Mr. MEZZALAMA (Italy) said that the problem was less one of redirecting the thrust and main orientation of the public information activities and of the World Public Information Campaign than of the resources available. It was a well-known fact that information activities lay at the very heart of any process to develop world-wide awareness and a universal culture of human rights. Yet, the Centre for Human Rights had slightly more than $US 100,000 per year to devote to those essential activities. His delegation therefore supported the idea that increased resources should gradually be provided to the Centre for the financing of information activities. The funds in question should be commensurate with the high expectations placed on and the important role attributed to that component of the human rights programme.

16. The previous year, delegations had been led to believe that the Department of Public Information would be able to use a budget of several million dollars a year primarily for information activities in the human rights field. The note by the Secretary-General (E/CN.4/1991/22) currently before the Commission gave a much more sober indication of the resources available for that type of activity. Nevertheless, his delegation continued to believe that it would be much easier for DPI to redirect some of its substantial resources towards information activities in the human rights field rather than for the Centre to see its financial endowment for the same activities increase considerably. However that might be, there was a clear need for improved co-operation between the Centre and DPI in that area.

17. His delegation noted with some surprise that it had not been possible to provide delegations with information on the situation of documentation on human rights at every United Nations information centre in the world. Such a survey was of some importance if the capacity of the United Nations information

network to meet an increased demand for information in the human rights field was to be enhanced. His delegation hoped that the results of the survey would be available not later than the next session of the Commission.

18. With regard to future activities, his delegation supported two initiatives scheduled for the current year. The planned meeting, co-sponsored by UNESCO, to develop a curriculum model for human rights education at the university level deserved much attention and praise. The future of human rights throughout the world depended upon the awareness that younger people, and particularly those who would play a leading role in society, were able to acquire in the early years of their cultural preparation.

19. The workshop planned by DPI in 1991 to discuss the role of the media in connection with the World Public Information Campaign was also worthy of support. In the contemporary world, there was no substitute for the message conveyed and relayed by the media.

20. His delegation believed that the World Public Information Campaign was one of the challenges facing the United Nations in its pursuit of the aims of the human rights programme. While it welcomed what had been already achieved, it was convinced that, if substantially more resources were not made available and a more co-operative effort developed, the results would fall short of expectations.

21. His delegation took the view that a larger share of resources, particularly human resources, should be given to the Centre to ensure a more adequate functioning of the Secretariat. The scope of activities and the demands made on the Centre's structures had expanded to such an extent in the past decade that an enhancement of the Centre's resources had become not only a necessity but also a priority. There was no longer any possibility that some kind of restructuring of the Centre might solve the problem. It was to be hoped that the United Nations administration in New York would help to implement the first provisional decisions taken unanimously by the General Assembly in that regard.

22. In conclusion, he said that the World Conference on Human Rights should have as one of its main concerns the effective implementation of human rights and fundamental freedoms as laid down in the various international instruments already in force. It should solemnly reconfirm the universality of the noble principles embodied in the Declaration of Human Rights. Consideration should also be given to ways and means of enhancing that universality through the reinforcement of national and regional institutions.

23. Being well aware of the importance of the World Conference, his delegation was prepared to contribute to the preparatory work in a spirit of co-operation and in the firm hope that consensus would be the prevailing rule throughout the process.

24. Mr. CHADHA (India) said that, of the various issues to be dealt with under the current agenda item, the World Conference on Human Rights was the most significant.

25. In the current century the world had witnessed dramatic developments and most of them had affected human rights to some degree or another. On the negative side, there had been two World Wars. On the positive side, the century had witnessed the almost complete demise of colonialism, which had brought freedom and self-determination to nations and peoples. India had played a major role in that development, not only by gaining its own freedom but also by helping others to do so.

26. Other significant developments had included the adoption of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights and the establishment of the Commission and its Sub-Commission. The first World Conference on Human Rights, held at Teheran in 1968, also belonged to that category. His delegation hoped that the 1993 World Conference would become another landmark in the quest to improve human rights.

27. Under General Assembly resolution 45/155, the Commission was to make recommendations to the Preparatory Committee on the issues mentioned in that resolution. The Preparatory Committee was instructed to make recommendations relating to both procedure and substance.

28. One of the objectives of the World Conference was to review and assess the progress made since the adoption of the Universal Declaration of Human Rights and to identify obstacles to further progress in that area and ways in which they could be overcome. One obstacle to progress was the fact that consideration of human rights issues in the United Nations was often influenced by politicization and selectivity.

29. The World Conference, which would have to make recommendations for eliminating or at least checking that tendency, should stress a comprehensive and balanced approach which identified all the factors that contributed to human rights abuses as well as their remedies, thus paving the way for durable reform.

30. Another objective contained in the General Assembly resolution was the examination of the relationship between development and the enjoyment by all of economic, social and cultural rights as well as of civil and political rights. All human rights were interlinked.

31. During the discussion in the Commission, the validity of the right to development as a human right had been questioned. The right to development was a human right recognized by the United Nations, as could be seen from the unambiguous message of the Universal Declaration on the subject and the preamble to the Charter of the United Nations itself. It was therefore surprising that certain quarters still questioned the legality of that right. The World Conference should settle the matter once and for all by clearly and unambiguously confirming the legal basis of the right to development.

32. His delegation was not motivated by a desire to make civil and political rights contingent upon the fulfilment of economic, social and cultural rights. It wanted the World Conference to underline the importance of the right to development and not to justify any curtailment of civil and political rights, but to stress that all human beings had a right to a life of decency and dignity.

33. When, therefore, the Conference addressed the issue of creating conditions whereby everyone might enjoy the rights set out in the International Covenants on Human Rights, it should emphasize the interdependence of the various categories of rights. If a human being was unable to feed and clothe himself, it was unlikely that he would be able to assert his civil and political rights.

34. Another objective of the World Conference was to examine ways of improving the implementation of existing human rights standards and instruments. In the first place, the World Conference should appeal to States to become parties to those instruments. It was, indeed, surprising that some countries which were members of the Commission refused to become parties to the International Covenants on Human Rights. The question of implementation should be studied on a regional basis; the organization of regional workshops could be useful in that regard.

35. He shared the view that the existing human rights instruments were adequate if they were properly implemented. He felt also, however, that too great an emphasis on rights was counter-productive, if it was not accompanied by a consciousness of obligations. The enjoyment of rights was meaningful only if it did not cause harm to others. Liberty should not degenerate into licence. The World Conference should pronounce a clear verdict against those who did not respect the rights of others or their responsibilities as members of civilized society.

36. Another task facing the World Conference was evaluating the effectiveness of the United Nations methods and machinery in the field of human rights. That was an area which required a great deal of research and study. On that issue, at least, the Commission should recommend the preparation of a study by an independent expert, a study which should be available to the Preparatory Committee at its first session.

37. The World Conference must also formulate concrete recommendations for improving the effectiveness of United Nations activities and mechanisms in the field of human rights. There too, ample benefit could be derived from regional workshops. It should be emphasized that human rights violations in several parts of the world were being committed not only by Governments but also by non-governmental entities, such as terrorist groups, secessionists, drug traffickers and so on. The monitoring mechanisms available to the World Conference should take cognizance of the complexity of the situation in the various regions.

38. The final objective of the World Conference was to make recommendations for ensuring the necessary financial and other resources for United Nations activities to promote and protect human rights and fundamental freedoms. His delegation cautioned against undue optimism in that regard. The world community had been undergoing a severe financial crisis which could only worsen as a result of recent events in the Gulf. There might be a need for belt-tightening, which could be accomplished by eliminating duplication in the working of the various human rights mechanisms. The Preparatory Committee should establish a working group to evaluate ways of eliminating such duplication and to make United Nations activities in the field of human rights more cost-effective.

39. With regard to procedural questions, his delegation thought that the Preparatory Committee should hold a five-day session in September 1991 at which it could: elect its officers; finalize the venue, timing and duration of the World Conference; prepare the agenda for the Conference; identify the subjects on which documentation was required; organize its work, including establishing sessional bodies; examine the question of holding regional workshops; decide on the periodicity and duration of its future meetings, bearing in mind the calendar of related meetings and formulate the rules of procedure of the World Conference and the Preparatory Committee, if necessary.

40. The World Conference must be an important landmark in the human rights field. The Conference and its Preparatory Committee must not become bogged down in specific country situations: that was the job of the Commission itself. Instead, the Conference should concern itself with the broad sweep of human rights and should have a comprehensive approach.

41. Over the past year or so, the world had witnessed a veritable explosion of popular demand for greater freedoms. The World Conference should be an occasion for the international community to reaffirm that development and to move closer to the ideals embodied in the Universal Declaration of Human Rights.

42. Mr. KOSSENKO (Union of Soviet Socialist Republics) said that the search for alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms should be one of the Commission's main aims.

43. The implementation of human rights started at home and, for that reason, one of the most important ways of achieving that goal was the creation of national institutions for protecting human rights. In his own country, such a system was only just beginning to take shape. Particularly useful in that regard was the exchange of experience between the national institutions of various countries, notably through the publication, under the auspices of the United Nations, of a manual on national institutions. His delegation also supported the idea, referred to in Commission resolution 1990/73, of convening a workshop with the participation of national and regional human rights institutions.

44. The effective encouragement and protection of human rights required long-term efforts to disseminate information on the subject. That goal was served by the World Public Information Campaign for Human Rights conducted by the Centre for Human Rights, which his Government was promoting both in the Soviet Union itself and within the United Nations framework. The World Campaign must be conducted on a long-term and large-scale basis with the support of all the States that shared the ideals and principles of the Universal Declaration of Human Rights and the International Covenants on Human Rights.

45. His delegation was pleased that agreement had been reached on the need to seek a consensus on the working methods of the Commission. Resolution 1990/48 of the Economic and Social Council, which decided to increase the Commission's membership to 53, was the result of a search for consensus and reflected the position of all the regional groups. It was to be hoped that the Commission's

new size would enhance its importance as a unique international body for improving the human rights situation throughout the world. In that connection, it would be useful if the Bureau could draft concrete measures for making better use of the time set aside for the Commission's session.

46. At its forty-sixth session, the Commission had adopted resolution 1990/70 requesting the Secretary-General to prepare and dispatch to Governments, after each session of United Nations human rights bodies, a list containing operative paragraphs of all resolutions and decisions which required preparation of reports and studies, together with a tentative schedule of their preparation, and to send corresponding notes verbales as soon as possible as reminders of the list.

47. That resolution, which had been adopted without a vote, had been sponsored by all the regional groups. Regrettably, that simple means of streamlining the system of preparation of reports and studies had not been implemented after the forty-sixth session of the Commission or after the forty-second session of the Sub-Commission.

48. The World Conference on Human Rights should not aim at revising or weakening the system of universal standards, but at strengthening it. Rather than constituting a larger version of the Third Committee or the Commission, it should, without fanfare, focus on concrete situations prejudicial to current human rights standards. It should reassert the value and universality of the ideas and principles produced by the international community since 1948 and their humanitarian importance for world political affairs; develop the enormous democratic potential of the international monitoring mechanisms for the implementation of human rights and define ways for their further improvement; and agree upon the future direction of international co-operation in the field of human rights. In a word, the World Conference should reflect a universal consensus on the most important aspects of human rights and leave disagreements over questions of approach to the working bodies of the United Nations.

49. It was to be hoped that the World Conference would enable the international community to strengthen support for the basic ideals of humanism, democracy and justice, which were the goal of international co-operation. His delegation was prepared to participate actively in drafting approaches to all questions touching upon the Conference's preparation.

50. Mr. de RIVERO (Peru) said that more than four decades had passed since the adoption of the Universal Declaration of Human Rights, and it was only then that the world had understood that human rights were a universal requirement for the co-existence of human beings, for the strengthening of an international organization based on peace and justice and, above all, for the legitimate exercise of power. It was no accident, therefore, that the Cold War had ended not through the use of force but through the exercise of the right of peoples freely to choose their system of government and to enjoy democratic freedoms.

51. However, the hope for a lasting peace and a more unified international system had been greatly diminished by the conflict in the Gulf. Events had escalated beyond the control of the international community's regulatory devices and culminated in a war which everyone hoped would end quickly.

52. The convening of the World Conference on Human Rights in 1993 should be analysed in the light of three major international trends with relation to human rights. First, rigid ideologies, of whatever political stripe, had been compelled to give way to the democratic aspirations of peoples. Accordingly, values such as human dignity, individual freedoms and political, civil, economic and social rights had acquired a universal character, paving the way, perhaps for the first time in history, for a genuine universal culture of human rights.

53. Secondly, there existed the possibility of developing a genuine world-wide system for promoting and protecting human rights. That possibility could be realized if emphasis was given to a vision of human rights which ruled out any selective application and was not dependent on ethnocentric ideas, but rather took as its starting-point the plurality of national histories, cultures, religions and values.

54. Thirdly, the State-based paradigm of international relations no longer corresponded to the complex reality of international society. Increasingly, societies and individuals were taking part in international negotiations, so that decisions were becoming more representative. The Commission was, perhaps, the leading example of that trend within the United Nations. Non-governmental organizations were participating in growing numbers and playing a key role in creating greater awareness of the situation of human rights.

55. Substantial progress had been made in the gradual development of an integrated system for protecting human rights. General principles, standards of international law, specific bodies and detailed procedures had been established. There was still a long road ahead, however. Even while the current session was taking place, thousands of human beings were suffering arbitrary arrest, racial and religious discrimination, torture, summary executions, disappearances and the like.

56. On the other hand, there was a shared understanding within the international community that human rights and fundamental freedoms were indivisible. It was essential to establish special machinery to permit a definition of the responsibility which existed with regard to the fragility or non-existence in the developing countries of rights such as food, housing, health, education or, in general, a minimum standard of living compatible with human dignity.

57. It would also be appropriate to establish special machinery and procedures which could more effectively channel the activities of the United Nations system with regard to the promotion and protection of economic and social rights, including the right to development.

58. He drew the attention of the Commission to the conditions affecting children, which constituted an eloquent indicator of the urgency of those tasks. The United Nations Children's Fund, in its 1990 report on the State of the World's Children, pointed out that nearly two thirds of the 14 million infant deaths which occurred annually in the developing world could be prevented. The rights of the child were a clear example of the indivisibility of human rights. When the Convention on the Rights of the Child provided for

the right of children to survival, development and protection, it was referring to economic and social rights and to a shared international responsibility to prevent those rights from continuing to be violated.

59. He was convinced that the World Conference would provide clear and definite answers to those problems. At the same time, it would be necessary to work on the basis of a broad consensus so that the Commission's activities would not be guided by exclusively punitive concepts. The system of protection would be strengthened to the extent that it was less subordinate to political interests and capable of developing standards and procedures which were not applied in a selective or discriminatory manner.

60. For those reasons, his delegation attached special importance to the holding of the World Conference. Its agenda reflected common interests: the review and updating of the progress achieved and the identification of obstacles to further progress; the examination of the relation between development and the enjoyment of economic, social and cultural rights together with civil and political rights; the desire to establish standards and procedures accepted by all States; and the evaluation and improvement of existing methods and machinery.

61. The necessary measures should be adopted to ensure that the preparation of the Conference was as efficient and democratic as possible and that it reflected the various perceptions and interests.

62. It was encouraging to note that there was already a universal awareness of the fact that there could be no permanent security or sustained economic and social development without guarantees of the dignity, rights and freedoms of mankind and vice versa. His delegation was looking forward to participating in a process which would give reality and effect to the opening words of the Universal Declaration of Human Rights.

63. Mr. Amoo-Gottfried (Ghana) resumed the Chair.

64. Mr. ERMACORA (Austria), having commended the staff of the Centre for Human Rights and the Secretariat in general, on facing an increasing workload with dedication and skill, said that, in recent years, the newly established organs and treaty bodies had not only required the Centre's support but had also seen an increasing need to co-ordinate their efforts and to co-operate with the growing number of regional and national human rights institutions. New activities had also been added in such areas as advisory services, technical co-operation and public information which, however useful they might be in promoting increased awareness of human rights issues at the national, regional and international levels, raised difficult co-ordinating problems for the Centre and tested the conceptual capabilities of the Centre's staff in implementing what were usually rather general requests and recommendations.

65. Although the variety of issues and problems had grown enormously, the Centre had had to make do with essentially the same number of staff members as 20 years previously. Thus, even such essential tasks as servicing of the Commission could be assured only through an enormous amount of overtime work and by increasing reliance on temporary support staff. Moreover, a number of special procedures reports must be prepared for the Commission and the General Assembly, despite the short time available between the end of the Assembly's session and the opening of that of the Commission.

66. That being so, his delegation welcomed the decision of the General Assembly to allocate several additional posts to the Centre as an interim measure. That could only be seen, however, as a first step in the overall strengthening of the Centre that must be undertaken within the next biennium budget. It was to be hoped that the Secretary-General would include in his next proposed programme budget all the necessary resources, including technical modernization and computerization, for a long-term solution to those problems, taking into account not only the points he had just mentioned but also new developments, such as the enlarged membership of the Commission, which were bound to lead to an increased workload. The rationalization of the work of the Third Committee might serve as an example for similar endeavours in the Commission.

67. If carefully prepared, the World Conference on Human Rights would provide the appropriate forum for assessing the progress made and obstacles encountered since the first such conference 25 years previously, as well as for addressing the current challenges facing the international community in the human rights field. The preparatory process must ensure the widest possible participation by Governments, national and regional human rights institutions and the organizations of the United Nations system. The Commission's special rapporteurs and working groups, as well as the Sub-Commission on Prevention of Discrimination and Protection of Minorities, should make their views known. All treaty bodies should also take an active part in the process.

68. The work should begin as soon as possible and the Commission should monitor the preparatory process during its next two sessions and make appropriate recommendations. Main issues must be identified for the World Conference's agenda in accordance with the objectives identified by the General Assembly. The relationship between human rights and development and between human rights and democracy would seem to be high on the list of questions to be addressed.

69. In preparing for the World Conference, it was important not to lose sight of other tasks. The existing body of international instruments must be implemented at a truly universal level; the growing number of implementation mechanisms must be further strengthened; and the public information campaigns to promote human rights activities must be enhanced.

70. Ms. QUISUMBING (Philippines) said that General Assembly resolution 45/155 on the holding of a World Conference on Human Rights had been adopted without a vote because support for such a conference was universal. The delegation of Morocco had, however, taken the lead in promoting the idea of the World Conference.

71. As stated in the resolution, the Commission was expected to make recommendations at its forty-seventh session, which the Preparatory Committee was to bear in mind when it met in September 1991. The importance of those recommendations was underlined by the fact that the participation of the Commission's Chairman in the work of the Preparatory Committee was to be guided by the Commission's recommendations. The Commission's contribution during its sessions and through its Chairman would give it a vital role in shaping the Conference's outcome. Her delegation intended to take an active part in the preparations for the Conference, in both the Commission and the Preparatory Committee.

72. Her delegation commended the work of the various United Nations organs and agencies, particularly that of the Department of Public Information (DPI), which had made a major contribution to disseminating the human rights message around the world. The United Nations information centres constituted a vital link in many countries between the decision-making bodies of the United Nations and persons and groups in the various regions. DPI could be the beginning of the decentralization process evoked earlier, as long as it had the appropriate mandate and adequate resources.

73. The Centre for Human Rights was another United Nations body deserving of praise. It had assumed an enormous responsibility consistent with the growing demand in the international community for the promotion and protection of human rights. The current level of budgetary support clearly did not reflect its importance.

74. As for national institutions and regional arrangements, her delegation took the view that the regional consultations prior to the World Conference would furnish an excellent opportunity for all regions to examine their own cultural heritage for the relevant values of human integrity and dignity. In the Asian-Pacific region, there had been a perceptible increase of activities on that subject, in particular the first regional seminar on human rights held at Manila in May 1990. That seminar had immediately been followed by an information campaign, to launch the new Convention on the Rights of the Child in the region, which had been an enormous success. As the host country for the seminar, the Philippines had shared the logistical and human resource burden, despite its limited resources. Her Government's deep commitment to the promotion and protection of human rights had been demonstrated by the presence, as keynote speaker at both events, of President Aquino.

75. The Asian-Pacific region had also seen the first national seminar on human rights, held at Jakarta in January 1990. Sponsored by the Indonesian Government and the Centre for Human Rights, that seminar had been well-attended by senior Government officials from various agencies, by representatives of NGOs and by respected scholars. Her delegation commended the sponsors for having included in the agenda the important subject of national institutions and regional arrangements, for Asia in general and for Indonesia in particular.

76. The Commonwealth seminar on human rights, held in the Cook Islands, was another of the Centre's achievements, in conjunction with the New Zealand Government and the Commonwealth secretariat. Her delegation was impressed by the desire of the island countries of the Pacific to join the international community's human rights protection and promotion system.

77. Her Government commended the Economic and Social Commission for Asia and the Pacific (ESCAP) for designating its library as a depository centre for United Nations human rights materials and for using it to disseminate such materials in the region. It hoped that States, NGOs and academies in the region would make full use of the ESCAP facility.

78. In addition, the role of NGOs and academies in shaping the World Conference's agenda must be maximized. It was to be hoped that they would share their valuable experience and unique insights in identifying both problems and solutions.

79. She had referred on an earlier occasion to the need to decentralize the human rights system, particularly the meeting of the Commission. Exploration of the possibility of holding future sessions of human rights bodies at the headquarters of the various regional commissions might, perhaps, be attempted.

80. Ms. GREEN (Mexico) said that her Government, when establishing the National Human Rights Commission in July 1990, had reiterated its pledge to promote and protect the human rights of Mexicans and others inside and outside the national territory and to punish those who violated human rights. Putting an end to impunity was one of the National Commission's chief tasks.

81. The framework within which the National Commission operated consisted of the Mexican Constitution, the relevant legislation, the international treaties and conventions signed by Mexico and the presidential decree establishing the Commission and specifying its powers.

82. The National Commission operated on three levels. First, it resolved complaints on a case-by-case basis, either acting as a mediator or conducting investigations and, where appropriate, issuing public recommendations to be implemented by the authority concerned. Over the past eight months, a large number of complaints had been resolved. The National Commission also had the power to request the authority concerned to provide the information needed to deal with the complaint and to indicate whether or not the Commission's recommendation had been applied.

83. Since the National Commission was presided over by an eminent Mexican jurist and consisted of 10 individuals of recognized independence and competence in the field, it enjoyed a moral authority which was enhanced by the fact that all its documents, actions and recommendations were open to public scrutiny.

84. Secondly, the fact that the National Commission was able to propose amendments and additions to Mexican laws, in the light of international instruments, helped to ensure the rule of law. For example, amendments had recently been made to important articles of the Mexican Code of Criminal Procedure.

85. Thirdly, the National Commission worked to develop in Mexico a culture of human rights, the aim of which was to promote human rights, beginning with the preventive phase, through education in general and through the further training of those involved in the administration of justice. In those endeavours, the National Commission was supported by a number of national non-governmental organizations with which it maintained a constant flow of information.

86. In addition, the National Commission maintained close contact with the various United Nations agencies in Mexico and had even co-sponsored major events with them, such as the week of activities commemorating the forty-second anniversary of the Universal Declaration of Human Rights.

87. Mr. VEUTHEY (International Committee of the Red Cross) said that the importance of activities to disseminate information and provide training in human rights had been recognized by the international community for a number of years, as was reflected in General Assembly and Commission resolutions.

ICRC, one of whose foremost ongoing aims was the promotion of international humanitarian law, could not but welcome that trend. The 165 States parties to the 1949 Geneva Conventions and the 1977 Additional Protocols had undertaken to disseminate their texts as widely as possible and to include them in the training of military and, if possible, civilian personnel. In fact, the Commission had recalled that obligation in its resolution 1990/66 on human rights in time of armed conflict.

88. Most ICRC activities involved an information programme, carried out in close collaboration with the national Red Cross and Red Crescent societies; its efforts were concentrated on the national societies, the armed forces, political and academic circles and the media.

89. The national societies were particularly important since they, in their turn, helped to promote awareness of international humanitarian law. At the request of those societies, ICRC helped them, often in conjunction with League of Red Cross and Red Crescent Societies, to establish action programmes, and participated in training their personnel. In that way, ICRC had organized four training seminars for instructors in China, Japan, the Republic of Korea and the Democratic People's Republic of Korea during 1990.

90. The armed forces, which had the task of applying humanitarian rules in wartime, were a priority concern of ICRC, which endeavoured to promote the teaching of humanitarian law as part of military training. ICRC had thus participated in courses organized under the auspices of the International Institute of Humanitarian Law. From 1976 to 1990, 32 courses, attended by some 1,000 officers from all the continents, had been held.

91. ICRC also contributed to courses for military medical officers organized, under the auspices of the International Committee of Military Medicine and Pharmacy; in addition, it had organized 11 national and 4 regional courses during 1990, in Africa, Asia, Latin America and Europe, involving 38 countries and 447 officers.

92. ICRC also gave priority to the study, at university level, of international humanitarian law, with a view inter alia to promoting knowledge of the subject in academic and diplomatic circles. Examples were ICRC's co-operation, over many years, with the international human rights institutions at Strasbourg, France and San José, Costa Rica, as well as the advanced courses organized at Warsaw jointly with the Polish Red Cross, a seminar organized in 1990 for the Mozambican diplomatic corps and another organized in January 1991 - the eighth - in conjunction with the Faculty of Law of the University of New York, for diplomats accredited to United Nations Headquarters.

93. Following participation in the March 1990 inter-agency meetings at the invitation of the Centre for Human Rights, as mentioned in the note by the Secretary-General (E/CN.4/1991/22), representatives of the Centre and ICRC had met several times with a view to promoting further co-operation on information and training. It had been agreed, in principle, to contribute to each other's publications and that ICRC delegates would continue, as appropriate, to participate in the Centre's human rights training seminars, to introduce international humanitarian law.

94. Lastly, ICRC wished to stress the importance of disseminating information on existing instruments during the forthcoming World Conference on Human Rights.

95. Mr. LOS ARCOS (Observer for Spain) said that his delegation had supported, from the outset, the initiative to hold a World Conference on Human Rights in 1993, the forty-fifth anniversary of the Universal Declaration of Human Rights and the twenty-fifth anniversary of the Teheran Conference. The forthcoming Conference would provide an opportunity to take stock of the considerable progress made in recent years towards the full realization and truly universal application of safeguards for all human rights and freedoms, which could not be divided or hierarchized.

96. The importance of the Conference would lie in its capacity to contribute to the full realization of the rights recognized in the Declaration and other United Nations instruments; it must emphasize, inter alia, the strengthening of regional and national human rights institutions and pay particular attention to the tasks of technical assistance and training.

97. The Preparatory Committee's work should aim at achieving a final document, approved by consensus, which would serve as a guide and inspiration for future United Nations work and for all Governments in that important sphere. The objectives set out in General Assembly resolution 45/155 meant that the Preparatory Committee could begin its work next September with clear guidelines.

98. It was up to the Commission itself, however, at its current and two forthcoming sessions, to make suitable recommendations. Important contributions could also be made not only by the special rapporteurs, expert groups and working groups pursuant to resolution 45/155, but also by the Sub-Commission and the various treaty monitoring bodies, as well as by the non-governmental organizations, whose contributions were so fundamental to the Organization's human rights activities.

99. There had been welcome progress, in recent years, in establishing the link between human rights and development. While ideology must not be permitted to justify denial of an individual's political rights, a growing number of countries seemingly failed to give priority to tackling poverty, which was in itself a denial of basic rights.

100. The Commission, at its current session, must make the most substantial contribution to the Preparatory Committee's work, maintaining the spirit of dialogue and openness. His delegation was ready to work to that end.

101. Prior to the Conference, however, the Commission must press on with the task of improving its performance, focusing on those functions, such as prevention, which had hitherto received little attention. The resolution adopted by the General Assembly at its forty-fifth session with a view to adapting the Centre's infrastructure better to its growing tasks must be pursued. His delegation reiterated, in that connection, that human rights activities should have a larger share of the United Nations regular budget.

102. Miss BUSCHMANN (Observer for Luxembourg) said that her Government attached prime importance to the strengthening of United Nations instruments for the observance of human rights. Although the recent transformations in parts of Europe had been stimulated by certain visionary politicians and by the courageous action on the part of the peoples of Central and Eastern Europe, that wave of freedom had begun in 1975, when the Conference on Security and Co-operation in Europe had been the harbinger of the current profound changes. The result had been an exemplary regional system in which 34 fundamentally distinct countries were able to participate in the observance of human rights. That example convinced her delegation that only a sound, effective set of standards could ensure respect for human rights.

103. The Universal Declaration of Human Rights conferred a leading role, in that regard, on the United Nations, a number of whose organs had the task of monitoring existing instruments. It was disquieting however that, although respect for human rights was seemingly gaining ever wider acceptance, the relevant United Nations bodies often appeared unable to respond effectively to world changes. The matter had indeed been given some thought during the past year, and welcome attention had been paid to the overloaded agenda of the General Assembly's Third Committee. Her delegation also supported all the efforts made to improve the performance of the Centre for Human Rights.

104. While it continued to believe that the Commission had a primordial role to play, it regretted the proliferation of legal human rights instruments and the duplication of contents. The fact that, despite a comprehensive body of law and standards, the Commission had to denounce, year after year, not only further human rights violations but the persistence of long-standing ones was also disturbing. There was a distressing lack of co-ordination between the Commission and the many treaty monitoring bodies. Much work remained to be done to improve not only monitoring but also the Commission's role in training and education on human rights.

105. With regard to the forthcoming World Conference on Human Rights, a preliminary statement by the European Community was to be found in the report of the Secretary-General (A/45/564). Her delegation hoped that the Conference would, pursuant to the mandate conferred upon it by the General Assembly, come up with answers to the questions raised. Sound, detailed preparation would be required, in which her delegation would actively participate to the extent of its means. The task must be approached by all in a spirit of frankness, co-operation and a sole desire to promote respect for human rights throughout the world.

106. The occasion would be one for conscience-searching, in view of the many shortcomings in the observance of human rights; it would also be a challenge, in that the practical consequences of such shortcomings would have to be faced. Without prejudging the Conference's deliberations, her delegation deemed it essential that thought be given to strengthening national and regional human rights forums, without undermining the universality of major humanitarian principles. It was equally important to seek greater harmonization of legal and standard-setting instruments and the various bodies within the United Nations system. A final consideration - in what was not intended as an exhaustive list - was the strengthening of the United Nations' teaching role in human rights.

107. The 1993 World Conference would test the credibility not only of the United Nations system but, first and foremost, of national action by the participants' Governments. It was to be hoped that the era of sterile ideological polemics was past; but that did not mean that the international community could accept reason of State as sacrosanct in justifying human rights violations.

108. The difficult social and economic context in which most United Nations Member States had had to evolve could not explain, still less justify, all the failures to observe humanitarian principles. Frank dialogue in that regard might be difficult, but had to take place; otherwise, the United Nations would quickly lose the credibility it had established in fostering the renewal of multilateralism.

109. The World Conference would be a milestone in the progress of human rights as the end of the century approached. It was vital, therefore, that its results, which would undoubtedly be both important and substantial, should be recorded in a solemn final act.

110. Mr. KERKINOS (Observer for Greece) said that an unprecedented wave of democratization, not only in Europe but far beyond, had been witnessed during the past year. Tragic and exceptional as current events in the Gulf and elsewhere might be, confrontation had seemingly been giving way in recent times, to the more general quest for peace and co-operation with, as a natural sequel, growing interest in the preservation of human rights. Not only had numerous international human rights instruments been adopted, but efforts had been made towards implementing the international standards embodied therein.

111. Much still remained to be done, however, in that important field; more than ever before, the need to strengthen the relevant mechanisms emerged as a high priority for United Nations bodies as well as in terms of national and regional policies. An example of the efforts in that regard could be seen in the achievements of regional seminars in translating into practical measures, through administrative levels and on to the ordinary citizen, the international expertise acquired in the field of human rights.

112. Particularly important in that field, since an inadequate level of development had adverse effects, was international assistance in providing, through voluntary contributions, sufficient funds for those eager to benefit from the activities, with a view to promoting wider adherence to existing international human rights instruments and a more scrupulous implementation of their provisions, in line with the premise that the prevention of abuse was better than sanctions.

113. The world picture of human rights had changed drastically during the period that had elapsed since the 1968 World Conference on Human Rights; world agreements such as the International Covenants on Human Rights and the various thematic instruments had been extremely important in the international protection of human rights.

114. The time had come to improve the tremendous existing edifice; the 1993 World Conference on Human Rights would make a valuable contribution to that task, and his delegation welcomed the General Assembly's adoption by

consensus of a resolution in that regard. The Conference would provide an opportunity to streamline the bewildering variety of instruments and of mechanisms for their implementation but, for that to be done, the Commission should provide adequate guidance to the Preparatory Committee.

115. The Secretariat and the Centre for Human Rights had hitherto striven valiantly despite their limited resources. The dedication of their staff, and notably the commitment of the Under-Secretary-General for Human Rights, had contributed substantially to the world community's efforts to draw up relevant norms and to put them to good use. Recognition of those endeavours had again been reflected in resolution 45/180, unanimously adopted by the General Assembly, for reinforcement of the Centre's personnel.

116. Unfortunately, that resolution had not yet been fully implemented. His delegation intended, therefore, to submit to the Commission, at its current session, a draft resolution requesting the Secretary-General to see to the implementation of General Assembly resolution 45/180. He hoped that the Commission would be able to adopt the draft resolution by consensus.

The meeting rose at 6.05 p.m.